

REMARKS

Under the Office Action of June 6, 2005, claims 1-2 and 5-20 were subject to examination. Claims 3-4 were previously canceled. Claims 1-2, 5-7, 9, and 13-20 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement and enablement requirement. Pursuant to a telephonic confirmation with the examiner, claims 3-4 have been canceled and are no longer subject to examination.

By way of this amendment, the specification has been amended to address the examiner's concerns regarding the rejections under 35 U.S.C. 112, first paragraph (written description and enablement requirements). In particular, the amendment further clarifies for the examiner the subject matter for imagers which have "substantial sensitivity to infrared radiation in the range of about 700 to about 1400 nm" as originally disclosed in original claim 3. Thus, the original disclosure demonstrated to one of ordinary skill in the art that the Applicant has been in "possession of the invention" and it also enabled one of ordinary skill in the art to make and use the claimed invention.

One of ordinary skill in the art would know that many "packaged CCD's normally sold" are readily available that, absent IR filtration, are sensitive to infrared radiation in the range from about 700 nm to a trailing upper range of about 1400 nm. Thus, explicitly making such statements in the specification appear unnecessary for someone of ordinary skill in the art to understand, make, and use the claimed invention. Nevertheless, the Applicant has included additional clarification within the specification to address the examiner's concerns and overcome the rejections. Since no new matter is being introduced by the amendment, it is respectfully requested that it be entered.

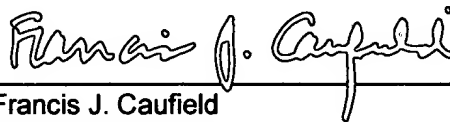
Appl. No. 09/858,130
Amendment dated: July 22, 2005
Response to Office Action of June 6, 2005

In view of the amendment, Application believes the application is in condition to allow all claims now rejected under '112 and, accordingly, Applicant respectfully requests that the '112 rejection be withdrawn and that a timely Notice of Allowance be issued in this application.

Respectfully submitted,

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Date



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